



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PATENT

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Applicant: Folker Beck

Examiner: Gertrude Arthur

Serial No.: 10/039,647

Group Art Unit 3661

Filed: 7 January 2002

(Atty. Ref. No. 9005-US)

For: MONITORING DEVICE FOR A HARVESTING MACHINE

Moline, IL 61265

10 February 2003

Response

The Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated 12 November 2002, paper no. 6.

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Remarks/Arguments

The examiner in an Office Action dated 12 November 2002 rejected all of the pending claims 1-22. As such, this Office Action and the references cited therein have been carefully considered and this response is now presented in an effort to comply with Patent Office requirements and advance prosecution of the application.

The examiner rejected claims 1-22, under 35 USC 103, as being obvious over Behnke et al. Behnke et al discloses a sensor for a harvesting machine that detects "structure-borne sound vibrations generated by the impingement of grains on a pulse detector..." The examiner concedes that Behnke et al fails to show that the sensor is arranged outside the flow of harvested crop material. The examiner notes that sensor 23 shown in Figure 4 can be inserted directly into the flow of harvested crop material by reason of its simple slim construction. Clearly this shows that Behnke et al appreciates the problem of locating a sensor in the flow of crop material because he keeps it simple and slim.

Both independent claims 1 and 22 call for a sensor detecting the noises of